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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,452 11/06/2003		Tetsuya Hayashi	57454-985	7605
20277 7	590 06/08/2005	EXAMINER		
MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			FOOTLAND, LENARD A	
			ART UNIT	PAPER NUMBER
	•		3682	

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner	*						
Examiner Lenard A Foolland 3082		Application No.	Applicant(s)				
Lenard A Footland A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE # MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE # MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply repedied side of the communication. If the period for reply repedied side of the seminarization. If the period for reply repedied side of the seminarization. If the period for reply repedied side of the seminarization. If the period for reply repedied side of the seminarization. If the period for reply repedied side of the seminarization. If the period for reply repedied side is less than thirty (30 days, a reply while) the shallows printering where the side of the seminarization of the shallows printering side of the communication. If the period for reply repedied side is less than the seminarization of the shallows printering side of the communication. If the period for reply repedied side is less than the seminarization of the shallows printering side of the communication. If the period for reply repedied side is less than the seminarization of the shallows printering side of the communication, even if timely filed, may reduce any restrict and seminarization of the seminarization of the seminarization is condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4) Claim(s) 1-20 is/are pending in the application. 4) Claim(s) 1-20 is/are allowed. 6) Claim(s) 1-20 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on		10/701,452	HAYASHI ET AL.				
The MALING DATE of this communication appears on the cover sheet with the correspondence address - period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. Extensions of them reply a resident where the provisions of 3 CFR 1-138(a). In no event, however, may a reply be timely filed to be a separate of the period of the reply specified shows let be than filtry (30) days, a reply within the stability minimum of thirty (30) days will be considered timely. If the period for reply specified shows the maximum statutory period will apply and will apple 53 (6) MONTH's from the mailing date of this communication. Failure to reply within the set or ethreaded priced for reply with by statutory period will apply and will apple 53 (6) MONTH's from the mailing date of this communication. Failure to reply within the set or ethreaded priced for reply with the stability printed will apply and will apple 53 (6) MONTH's from the mailing date of this communication. Failure to reply within the set or ethreaded priced for reply with the stability printed will be considered timely. The specific transport of the state of the state of the state of the scanner and the specific transport of the state of the scanner and the specific transport of the state of the scanner and the specific transport of the scanner and t	Office Action Summary	Examiner	Art Unit				
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1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a repl - If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailin	I36(a). In no event, however, may a re ly within the statutory minimum of thirty will apply and will expire SIX (6) MONT a, cause the application to become ABA	ply be timely filed (30) days will be considered timely. HS from the mailing date of this communication. INDONED (35 U.S.C. § 133).				
2a This action is FINAL. 2b This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)	Status						
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Application Papers 9							
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) ☒ Claim(s) 20 are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Attachment(s)* **Notice of References Cited (PTO-982)	Disposition of Claims						
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Application/Control Number: 10/701,452

Art Unit: 3682

This application contains claims directed to the following patentably distinct species of the claimed invention: the species of Figure(s) 1-3 versus that of Fig(s). 4a versus Fig(s). 4b v Fig(s). 4c v 4d 5 v 6a-e v 7a-d v 8a-c.

Applicant is required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a response to this requirement must include an identification of the species that is elected consonant with this requirement, AND A LISTING OF ALL CLAIMS READABLE THEREON (NOT, FOR EXAMPLE, "AT LEAST CLAIMS..."), INCLUDING ANY CLAIMS SUBSEQUENTLY ADDED, AND IF THE AMENDMENT OF ANY CLAIMS RESULTS IN A CHANGE OF THE SPECIES THEY READ UPON, THAT TOO SHOULD BE INDICATED. FAILURE TO DO SO MAY RESULT IN A HOLDING OF NONRESPONSIVENESS. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. M.P.E.P. § 809.02(a).

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Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. § 103 of the other invention.

The elected species is limited to the features set forth in the elected figures, and does not include features not illustrated in those figures, or illustrated in other figures. Accordingly, applicant should review all claims to ensure that all features of the elected species are properly illustrated, as required, in order to avoid a holding that an unillustrated feature does not form part of the elected species.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168. Should that communication be unsuccessful, please obtain the name of the receptionist before contacting the examiner.

Application/Control Number: 10/701,452

Art Unit: 3682

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lenard A. Footland, whose telephone number is (571) 272-7103.

Lenard A. Footland

Primary Examiner Technology Center 3600 Art Unit 3682

laf June 6, 2005